(03) (1)

COURT FEE भारत INDIA दस रुपये TEN RUPEES CANCELLED

COURT FEE भारत INDIA दो रुपये TWO RUPEES CANCELLED

COURT FEE भारत INDIA दो रुपये TWO RUPEES

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.) dist

C.R.NO. 291 **/03(S.B.)**

Single Bench

APPLICANTS

1.RAMSEVAK S/O DEENO MARAR, AGED ABOUT 50 YEARS

2.TUKRAM S/O DEENO MARAR, AGED ABOUT 45 YEARS

R/O BOTH, VILLEAGE PRSADA (BADE), TAH. -SARANGARH, DISTT. RAIGARH

(3)

P. R. No. 1926/03 Presented by Shri Jay Kishan Jaiswal dated 29.05.03

VERSUS

NON-APPLICANTS

1.DANMATI W/O CHAMARA MARAR, AGED ABOUT 65 YEARS, R/O KATELI TAH. - SARANGARH, DISTT. -RAIGARH (C.G.)

(DIED)

2.STATE OF CHHATTISGARH THROUGH COLLECTOR Raigarh

3.Sonsai S/o Nanku Marar R/o Kateli Tah.- Sarangarh Distt. Raigarh (C.G. [L.Rs of the N.A.1 as per the Trial Court order]

REVISION U/S 115 OF C.P.C. READ WITH U/S 151 OF C.P.C.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक CR No. 291/03 सन् 200

विरुद्ध

(15)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

16.12.2003

Shri Vineet Pandey, counsel for the applicants.

Heard on admission.

The revision is directed against the order dated 21.07.2003 passed by the Civil Judge Class II, Sarangarh in Misc. Civil Case No.1/2002, whereby the Court below has restored the suit, dismissed in default, imposing the costs of Rs.300/-.

From the perusal of the record, it appears that the hearing of the suit was fixed on 22.03.2002. On that day, the plaintiffs could not appear, as persons had come to their house for settlement of marriage of applicant No.1 Ram Sawak. It is also borne out from the record that the counsel for the plaintiffs was not well. The Court below has noted that the suit was dismissed at 11.25 A.M. The plaintiffs filed the application for restoration duly supported by the affidavit on 28.03.2003. The Court below has restored the suit subject to costs of Rs.300/-.

Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, the costs cannot be said to be on higher side. In fact, the Court below has taken very lenient view. There are two plaintiffs, one

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(16)

मामला क्रमांक CR 291 / सन् 2003

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	of them could have attended the case. There is no error of jurisdiction or illegality warranting interference in the impugned order. The revision fails and is dismissed. Sd/- Fakhruddin Judge	